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OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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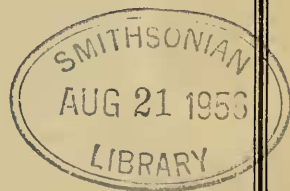
FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 403

Addition to the *Official List of Specific Names in Zoology* of the names of two Siberian Larks (Class Aves)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 403

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Vice-President: Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*) (12th August 1953)

Secretary: Mr. Francis Hemming (*London, England*) (27th July 1948)

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(*Arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*)

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Dr. L. B. HOLTHUIS (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (12th August 1953)

OPINION 403

ADDITION TO THE "OFFICIAL LIST OF SPECIFIC NAMES IN ZOOLOGY" OF THE NAMES OF TWO SIBERIAN LARKS (CLASS AVES)

RULING:—(1) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* with the Name Nos. 701 and 702 respectively:

- (a) *yeltonensis* Forster, 1767, as published in the combination *Alauda yeltonensis*;
- (b) *leucoptera* Pallas, 1811, as published in the combination *Alauda sibirica*.

(2) The under-mentioned specific name is hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* with the Name No. 270: *sibirica* Gmelin (J. F.), [1789], as published in the combination *Alauda sibirica* (a junior secondary homonym in the genus *Melanocorypha* Boie, 1828, of the name *sibirica* Sparrman, 1786, as published in the combination *Tanagra sibirica*).

I.—THE STATEMENT OF THE CASE

On 21st May 1951, following correspondence with the Secretary, Dr. James L. Peters (*Museum of Comparative Zoology at Harvard College, Cambridge, Massachusetts, U.S.A.*) submitted the following application to the Commission for a Ruling as to the name properly applicable to a Siberian Lark, for which two different names had been used in the literature, the question at issue being whether the older of the two names concerned was a junior secondary homonym of a name given to another Siberian Lark:—

AUG 1 1956

Proposed addition to the "Official List of Specific Trivial Names in Zoology" of the trivial names of two Siberian birds

By JAMES L. PETERS

(Museum of Comparative Zoology at Harvard College, Cambridge, Mass., U.S.A.)

The present application to the International Commission on Zoological Nomenclature is concerned with the question of the trivial names properly applicable to two species of lark, each of which was originally described from Siberian material. The names and relevant synonyms of these species are as follows:—

Species "A"

Alauda yeltonensis Forster, 1767, *Phil. Trans.* 57 (2): 350.

Tanagra siberica Sparrman, 1786, *Mus. carlson.* (1): No. xix (et fig.).

Species "B"

Alauda sibirica Gmelin, 1789, in Linnaeus, *Syst. Nat.* (ed. 13) 1 (2): 799.

Alauda leucoptera Pallas, 1811, *Zoogr. rosso-asiat.* 1: 518, pl. 33.

2. The two species are considered to be congeneric, both being referred to the genus *Melanocorypha* Boie, 1828 (*Isis* (Oken) 1828: 322). For many years the first of these species was known as *Melanocorypha yeltonensis* (Forster) and the second as *Melanocorypha sibirica* (Gmelin). About twenty years ago, however, Hartert & Steinbacher (1932, *Vög. pal. Fauna*, *Ergänzungsband* (1): 103) discarded the trivial name *sibirica* Gmelin for species "B", on the ground that it was a secondary homonym of the trivial name *siberica* Sparrman, 1786, which, as shown above, is a junior synonym of *yeltonensis* Forster, 1767, the oldest available name for species "A". These authors thereupon applied the trivial name *leucoptera* Pallas, 1811, to species "B". Most recent authors have followed Hartert & Steinbacher in this matter and have used the trivial name *leucoptera* Pallas for species "B".

3. Doubts have been expressed as to the correctness of the action of these authors in rejecting the name *sibirica* Gmelin, having regard to the fact that the spelling of this name is not identical with that of the name (*siberica* Sparrman) for which it was rejected on the ground of secondary homonymy. In this connection it was pointed out, in particular, that the differences in spelling between these two names are not among the differences which the third paragraph of Article 35 prescribes are to be ignored in determining whether any given pair of trivial names are to be treated as being homonyms of one another.

4. If the considerations set forth above alone were relevant to this matter, the argument advanced above would be unanswerable, and there could be no doubt that, under the Rules, the practice of the last twenty years should be reversed and that species "B" should in future be known by the trivial name *sibirica* (Gmelin).

5. The foregoing argument does not however cover the whole of the field in a case of this kind, for it ignores the fact that, where we are concerned with two trivial names, each based upon the name of the same locality and differing from one another only in some small respect of spelling, the difference may be due to an error of orthography or of transcription or to a printers' error and therefore that Article 19 may apply to one of the names in question. In such a case the effect of applying Article 19 may be to make the two names identical with one another and thus to make them homonyms of one another. This clearly was a possibility which it was necessary to examine, for although I should not consider the present case of sufficient importance to justify the use by the Commission of its Plenary Powers for the sake of preserving the practice which has grown up since the publication of the volume of Hartert & Steinbacher (1932), it is equally important to avoid any action which would disturb that practice unless it was clear that this was necessary under a strict application of the Rules.

6. At this stage therefore I consulted my colleague, Mr. Francis Hemming, Secretary to the Commission, who has furnished to me the following Report (*in litt*, 6th May 1951):—

In approaching the question whether trivial names such as *sibirica* and *siberica* should, or should not, be treated as homonyms of one another, one cannot fail to be impressed by the fact that the late Charles D. Sherborn, the most learned bibliographer of his time, treated names spelt "*siberica*" as misspellings for "*sibirica*", listing both together under the latter spelling (1902), *Index Anim.*, Pars prima: 900). Although in the present case there was a strong presumption from the type localities of the two larks in question that the trivial names applied to these species by Sparrman (1786) and Gmelin (1789) respectively were each intended to indicate the same locality and therefore that the difference in spelling between the two names did not indicate a difference in meaning, being a matter of orthography only, it seemed to me, on receiving your inquiry, that the first step to be taken should be to investigate the question of the meaning attaching to these words. I accordingly applied for advice to Professor Charles Singer, Professor Emeritus of the History of Science in the University of London, than whom, in my opinion, no more authoritative adviser could be found on a question of this kind. Professor Singer kindly undertook to consider this question and in due course furnished the following report: "The correct form of the adjective is undoubtedly 'sibir-' not 'siber-'. Sibir was the name of a Tabar fort on the Irtysh which was captured by

Cossacks in 1581. The name 'Sibiria' was extended in the seventeenth century to the Muscovite dominions in the North-East. Thus, 'sibirica' is the proper adjective".

In view of Professor Singer's Report, it is clear that there was at no time any place named "Siber", as contrasted with the Tabar fort named "Sibir" and that, in view of the extension during the seventeenth century of the meaning attaching to the word "Sibiria" (and thus, to the adjective "sibirica"), it must certainly be concluded that, where (as here) two species occurring in the portion of the Muscovite dominions known, in English, as "Siberia" are named respectively "*sibirica*" and "*siberica*", that difference in spelling is not due to any difference in the origin or meaning of the two trivial names in question but is attributable solely to differences in orthography. In the present case, Professor Singer has shown conclusively that the correct way of spelling the adjective in question is "*sibirica*" and not "*siberica*", thus endorsing the conclusion reached in this matter by Sherborn nearly fifty years ago, a conclusion which, it may be noted, no one in the intervening period has ever tried to dispute.

The problem with which we are confronted here has therefore nothing to do with the question whether these two larks have the same word as their trivial name: it is quite clear that they have. The question to be considered is whether the difference in spelling adopted for these two names is a legitimate difference (in which case the two names would not be homonyms of one another) or, being due to error of spelling in the case of one of the names, is an illegitimate difference and one which calls for action under Article 19. In my view, the information furnished by Professor Singer, taken in conjunction with the considerations advanced above, would make it quite impossible to sustain an argument that there is a legitimate difference between the correctly spelt adjective "*sibirica*" and the incorrectly spelt adjective "*siberica*". I conclude, therefore that, under the Rules, it is necessary to emend the defectively spelt trivial name "*siberica*" under Article 19, to "*sibirica*" before any consideration is given to the question of the relative status, for the purposes of the Law of Homonymy, of the trivial names published respectively by Sparrman and Gmelin. Once the necessary emendation of Sparrman's faultily spelt trivial name is made, we find that the name so emended is identical with the name later published by Gmelin.

It is evident therefore that Hartert & Steinbacher were perfectly correct when in 1932 they rejected the trivial name *sibirica* Gmelin, 1789, as being, within the genus *Melanocorypha* Boie, a junior secondary homonym of the trivial name *sibirica* (emend. of *siberica*) Sparrman, 1787. A name once validly rejected in this way as a junior secondary homonym cannot, as we know, ever again be used for the species to which it was originally given. Accordingly, ever since the publication in 1932 of Hartert's and Steinbacher's volume,

the trivial name *sibirica* Gmelin has been a dead homonym, incapable in any circumstances of being brought back to life again. Since, as those authors pointed out—and as you confirm—the next name to be given to the species to which in 1789 Gmelin gave the invalid name *Alauda sibirica* was the name *Alauda leucoptera* Pallas, 1811, it follows that the oldest available trivial name, and therefore the valid trivial name for the species in question is *leucoptera* Pallas, the name by which that species is currently known.

7. In the circumstances it is clear that it would not be in accordance with the Rules to resuscitate the trivial name *sibirica* Gmelin for the species which for the last twenty years has been known by the trivial name *leucoptera* Pallas. Now that the position in this matter is clearly established, it is desirable that, in order to prevent any subsequent argument on the subject, the oldest available trivial names for each of these larks should be placed on the *Official List*, the invalid trivial name *sibirica* Gmelin being at the same time placed on the *Official Index*. I accordingly ask the International Commission on Zoological Nomenclature:—

- (1) to place the under-mentioned trivial names on the *Official List of Specific Trivial Names in Zoology*:—
 - (a) *yeltonensis* Forster, 1767, as published in the combination *Alauda yeltonensis*;
 - (b) *leucoptera* Pallas, 1811, as published in the combination *Alauda leucoptera*;
- (2) to place trivial name *sibirica* Gmelin, 1789, as published in the combination *Alauda sibirica* (the trivial name of a rejected junior secondary homonym in the genus *Melanocorypha* Boie, 1828) on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology*.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application: Upon the present case being first brought to the notice of the Office of the Commission by the late Dr. Peters the question of the specific name properly applicable to the Siberian Lark concerned was allotted the Registered Number Z.N.(S). 496.

3. Publication of the present application: The present application was sent to the printer on 13th May 1952 and was published on 15th October of the same year in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature* (Peters, 1952, *Bull. zool. Nomencl.* 9: 77—79).

4. Issue of Public Notices: In view of the fact that the applications published in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature* constituted the first move to promote stability in ornithological nomenclature taken by the Commission for many years it was decided to take exceptional measures for bringing these applications before ornithologists in all parts of the world. First, Public Notice was given to applications not involving the use of the Plenary Powers equally with those which did involve the use of those Powers. Second, this Public Notice was not only given in the normal prescribed manner, but in addition was given to fourteen serial publications or institutions specially concerned with ornithology. The names of the serials and institutions in question have been given in the *Opinion* (*Opinion* 401) relating to the generic name *Colymbus* Linnaeus¹, the *Opinion* in which the Commission dealt with the first of the series of applications submitted by the Standing Committee on Ornithological Nomenclature.

5. Comments received: The issue of the Public Notices specified above elicited thirty-seven comments of a general character relating to the cases of ornithological nomenclature published in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature*. These comments came from ornithological institutions, groups of ornithologists and individual specialists. Of these comments, the authors of thirty-six gave general support to the applications published in the foregoing Triple-Part. The single remaining comment was from a specialist who was opposed to any use of the Commission's Plenary Powers. The communications so received have been reproduced in the Appendix annexed to *Opinion* 401 (*Colymbus*)², those supporting the applications referred to above being given in Part 1, the single comment in opposition to the above applications being given in Part 2. Only

¹ *Opinion* 401 has been published as Part 1 of the present volume.

² See Footnote 1.

one comment directly relating to the present application was received. This was from a specialist who supported the action proposed by Dr. Peters. This communication is reproduced in the immediately following paragraph. No objection was received from any source.

6. Support received from Colonel Richard Meinertzhagen (London): On 5th December 1952 Colonel Richard Meinertzhagen (*London*) addressed a letter to the Commission intimating his support for certain of the applications relating to ornithological nomenclature then recently published in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature*. As regards the present application Colonel Meinertzhagen wrote as follows:—

I wish to register my whole-hearted agreement with recommendation No. 12³ (Siberian Larks) . . .

III.—THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

7. Issue of Voting Paper V.P.(54)79: On 14th May 1954, a Voting Paper (V.P.(54)79) was issued in which the Members of the Commission were invited to vote either for, or against, “the proposal relating to the names for two Siberian birds, as set out in Points (1) and (2) in paragraph 7 at the foot of page 79 of volume 9 of the *Bulletin of Zoological Nomenclature*” [i.e., in the Points numbered as above in paragraph 7 of the application reproduced in the first paragraph of the present *Opinion*].

8. The Prescribed Voting Period: As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 14th August 1954.

³ The number here cited by Colonel Meinertzhagen is the number under which the present application appeared in the list of cases published in Triple-Part 1/3 of volume 9 of the *Bulletin of Zoological Nomenclature* which was printed on the coloured wrapper (cover) in which the above Part was published.

9. Particulars of the Voting on Voting Paper V.P.(54)79: At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(54)79 was as follows:—

(a) *Affirmative Votes had been given by the following nineteen (19) Commissioners (arranged in the order in which Votes were received):*

Boschma; Holthuis; Lemche; Dymond; Hering; Vokes; Esaki; Riley; Bonnet; Bradley (J. C.); Hemming; do Amaral; Jaczewski; Pearson, Hankó; Mertens; Sylvester-Bradley; Cabrera; Stoll;

(b) *Negative Votes:*

None;

(c) *Voting Papers not returned:*

None.

10. Declaration of Result of Vote: On 17th August 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(54)79, signed a Certificate that the Votes cast were as set out in paragraph 9 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

11. Preparation of the Ruling given in the present “Opinion”: On 30th September 1955, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(54)79.

12. Original References: The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion*:—

leucoptera, *Alauda*, Pallas, 1811, *Zoogr. rosso-asiat.* 1: 518, pl. 33
sibirica, *Alauda*, Gmelin (J. F.), [1789], in Linnaeus, *Syst. Nat.*
 (ed. 13) 1 (2): 799

yeltonensis, *Alauda*, Forster, 1767, *Phil. Trans.* 57 (2): 350

13. At the time of the submission of the present application the name applicable to the second portion of a binomen was "trivial name". This was altered to "specific name" by the Fourteenth International Congress of Zoology, Copenhagen, 1953, which at the same time made corresponding changes in the titles of the *Official List* and *Official Index* of names of this category. These changes in terminology have been incorporated in the Ruling given in the present *Opinion*.

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.⁴

15. The present *Opinion* shall be known as *Opinion* Four Hundred and Three (403) of the International Commission on Zoological Nomenclature.

DONE in London, this Thirtieth day of September, Nineteen Hundred and Fifty-Five.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

⁴ Subsequent to the adoption of the present *Opinion* the International Commission on Zoological Nomenclature decided to incorporate in a *Declaration* then in preparation a Ruling formally embodying the question of principle implicitly settled in the present *Opinion*, namely that, where in any given genus there are two taxa, the one bearing as its specific name or as a subspecific name a name consisting of the word "sibiricus" and the other a name consisting of the word "sibericus", the two names are to be treated as homonyms of one another in like manner as though they were identical with one another in spelling. On 22nd February 1956 the decision so taken was formally embodied in *Declaration* 23. For convenience of reference the publication of this *Declaration* has been expedited in order that it may be included in the present volume and thus form part of the same volume as that which will contain the two *Opinions* on individual pairs of names, the status of which is now formally governed by the Ruling given in it (*Opinions* 402 and 403).

